

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

**NETCHOICE, LLC d/b/a  
Netchoice, a 501(c)(6) District of  
Columbia organization,**

**and**

**COMPUTER &  
COMMUNICATIONS INDUSTRY  
ASSOCIATION d/b/a CCIA, a  
501(c)(6) non-stock Virginia  
corporation,**

*Plaintiffs,*

**V.**

**KEN PAXTON**, in his official  
capacity as Attorney General of  
Texas,

***Defendant.***



**Civil Action No. 1:21-cv-00840-RP**

**MOTION OF PROPOSED AMICI THE REPORTERS COMMITTEE FOR  
FREEDOM OF THE PRESS, AMERICAN CIVIL LIBERTIES UNION,  
AMERICAN CIVIL LIBERTIES UNION OF TEXAS, CENTER FOR  
DEMOCRACY & TECHNOLOGY, AND MEDIA LAW RESOURCE  
CENTER FOR LEAVE TO FILE BRIEF IN SUPPORT OF PLAINTIFFS’  
MOTION FOR PRELIMINARY INJUNCTION**

Proposed amici the Reporters Committee for Freedom of the Press, the American Civil Liberties Union, the American Civil Liberties Union of Texas,

Center for Democracy & Technology, and Media Law Resource Center respectfully move this Court for leave to file the accompanying brief in support of NetChoice and the Computer & Communications Industry Association's (CCIA) motion for a preliminary injunction against Ken Paxton in his official capacity as Texas Attorney General, charged with enforcing H.B. 20. Plaintiffs NetChoice and CCIA have represented that they do not oppose the filing of this brief. Defendant opposes this motion.

The accompanying brief seeks to aid the Court by highlighting the ramifications of H.B. 20 for the press and the public and to explain why this Court should enjoin enforcement of H.B. 20 to ensure it does not improperly interfere with constitutionally protected editorial choices and decision making. As representatives of and advocates for the news media, amici have a strong interest in protecting the freedom of the press guaranteed by the First Amendment and are concerned that, if allowed to go into effect, H.B. 20 will chill the exercise of editorial discretion, thereby restricting the free flow of information to the public.

Accordingly, amici respectfully request that the Court exercise its discretion to accept the accompanying brief for consideration. *See, e.g., U.S. ex rel. Gudur v. Deloitte Consulting LLP*, 512 F. Supp. 2d 920, 927 (S.D. Tex. 2007) ("The extent to which the court permits or denies *amicus* briefing lies solely within the court's discretion.").

Dated: October 7, 2021

Respectfully submitted,

**HAYNES AND BOONE, LLP**

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**CERTIFICATE OF SERVICE**

I certify that a true and correct copy of the foregoing was served in compliance with the Federal Rules of Civil Procedure via ECF filing on this 7<sup>th</sup> day of October 2021 to the following:

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